

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Gregory H. Lambrecht	Examiner:	Stroud, Jonathan R.
Serial No.	10/787,057	Group Art Unit:	3774
Filed:	February 25, 2004	Docket No.	MTI0900/US/2 (P0023439.02)
For:	CARDIAC VALVE PROCEDURE METHODS AND DEVICES		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RENEE A. WOLFF

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This communication is submitted in response to the Office Action mailed March 19, 2008, requiring a restriction of claims within the subject application. Specifically, the Examiner has divided the currently pending claims into Group I, Claims 1 and 2, drawn to a surgical method for placing a temporary embolism filter in the bloodstream; Group II, Claims 10 and 11, drawn to a method of using an expandable valve prosthesis; Group III, Claims 27-31, 40, 46-49, drawn to a surgical method for placing a prosthetic valve during cardiac rhythm; Group IV, Claim 32, drawn to a generic surgical method to be performed on the native cardiac valve; Group V, Claim 33, drawn to a method of using a prosthetic heart valve by disrupting the valve; Group VI, Claim 34, drawn to a method of replacing and resecting a native heart valve; Group VII, Claims 35 and 36, drawn to a method of overlaying and affixing a prosthetic heart valve; and Group VIII, Claim 37, drawn to a method of resecting native cardiac heart valves.

Applicants hereby elect to prosecute Group III, Claims 27-31, 40, 46-49, drawn to a surgical method for placing a prosthetic valve during cardiac rhythm. This election is made without traverse.

It is further submitted that claim 2 should be included within the elected Group III as it recites a method for positioning a valve during cardiac rhythm. It is noted that the recited valve that is positioned is a temporary valve, but it is submitted that the claimed steps are substantially similar to steps that are included within the recitation of claims 40 and 49. As such, there would be no increased burden on the Examiner or the Office, and such claims are linked by the inventive concept of positioning a temporary valve before a valve resection.

A listing of all claims is submitted on the following page.